

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FURUKAWA ELECTRIC NORTH AMERICA,)
INC.; and OFS FITEL LLC,)
Plaintiffs,)
vs.) Civil Action No. 05-cv-11665-RGS
ANTARES DEVELOPMENT INTERNATIONAL)
LLC,)
Defendant.)

)

ASSENTED-TO MOTION TO RESTORE THIS ACTION TO THE DOCKET

Pursuant to the Court's February 21, 2007 Settlement Order of Dismissal, Plaintiffs Furukawa Electric North America, Inc. ("FENA") and OFS Fitel LLC ("OFS") (collectively "Plaintiffs") respectfully request that the Court restore this action to the docket. In support of this motion the Plaintiffs state:

1. On February 21, 2007, the Court issued an order dismissing this case "without prejudice to the right of any party, upon good cause shown, to restore this action to the docket within 60 days if settlement is not consummated."
2. Although the parties have agreed in principle to settle this case, a settlement has not yet been consummated.

Accordingly, the Plaintiffs request that the Court restore this action to the docket.

3. Defendant has assented to this request.

**FURUKAWA ELECTRIC NORTH
AMERICA, INC.; OFS FITEL LLC**

By their attorneys,

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